

Environmental Protection Agency

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(c) In addition to the data required by § 98.3(g), the bulk importer shall retain the following records substantiating each of the imports that they report:

(1) A copy of the bill of lading for the import.

(2) The invoice for the import.

(3) The U.S. Customs entry form.

(d) In addition to the data required by § 98.3(g), the bulk exporter shall retain the following records substantiating each of the exports that they report:

(1) A copy of the bill of lading for the export and

(2) The invoice for the export.

(e) Every person who imports a container with a heel that is not reported under § 98.416(c) shall keep records of the amount brought into the United States that document that the residual amount in each shipment is less than 10 percent of the volume of the container and will:

(1) Remain in the container and be included in a future shipment.

(2) Be recovered and transformed.

(3) Be recovered and destroyed.

(4) Be recovered and included in a future shipment.

(f) Isolated intermediates that are produced and transformed at the same facility are exempt from the record-keeping requirements of this section.

(g) Low-concentration constituents are exempt from the recordkeeping requirements of this section.

[74 FR 56374, Oct. 30, 2009, as amended at 75 FR 79168, Dec. 17, 2010; 76 FR 73905, Nov. 29, 2011]

§ 98.418 Definitions.

Except as provided below, all of the terms used in this subpart have the same meaning given in the Clean Air Act and subpart A of this part. If a conflict exists between a definition provided in this subpart and a definition provided in subpart A, the definition in this subpart shall take precedence for the reporting requirements in this subpart.

Isolated intermediate means a product of a process that is stored before subsequent processing. An isolated intermediate is usually a product of chemical synthesis. Storage of an isolated intermediate marks the end of a proc-

ess. Storage occurs at any time the intermediate is placed in equipment used solely for storage.

Low-concentration constituent means, for purposes of fluorinated GHG production and export, a fluorinated GHG constituent of a fluorinated GHG product that occurs in the product in concentrations below 0.1 percent by mass. For purposes of fluorinated GHG import, low-concentration constituent means a fluorinated GHG constituent of a fluorinated GHG product that occurs in the product in concentrations below 0.5 percent by mass. Low-concentration constituents do not include fluorinated GHGs that are deliberately combined with the product (*e.g.*, to affect the performance characteristics of the product).

[75 FR 79169, Dec. 17, 2010]

Subpart PP—Suppliers of Carbon Dioxide

§ 98.420 Definition of the source category.

(a) The carbon dioxide (CO₂) supplier source category consists of the following:

(1) Facilities with production process units that capture a CO₂ stream for purposes of supplying CO₂ for commercial applications or that capture and maintain custody of a CO₂ stream in order to sequester or otherwise inject it underground. Capture refers to the initial separation and removal of CO₂ from a manufacturing process or any other process.

(2) Facilities with CO₂ production wells that extract or produce a CO₂ stream for purposes of supplying CO₂ for commercial applications or that extract and maintain custody of a CO₂ stream in order to sequester or otherwise inject it underground.

(3) Importers or exporters of bulk CO₂.

(b) This source category is focused on upstream supply. It does not cover:

(1) Storage of CO₂ above ground or in geologic formations.

(2) Use of CO₂ in enhanced oil and gas recovery.

(3) Transportation or distribution of CO₂.

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(4) Purification, compression, or processing of CO₂.

(5) On-site use of CO₂ captured on site.

(c) This source category does not include CO₂ imported or exported in equipment, such as fire extinguishers.

§ 98.421 Reporting threshold.

Any supplier of CO₂ who meets the requirements of § 98.2(a)(4) of subpart A of this part must report the mass of CO₂ captured, extracted, imported, or exported.

§ 98.422 GHGs to report.

(a) Mass of CO₂ captured from production process units.

(b) Mass of CO₂ extracted from CO₂ production wells.

(c) Mass of CO₂ imported.

(d) Mass of CO₂ exported.

[74 FR 56374, Oct. 30, 2009, as amended at 75 FR 79169, Dec. 17, 2010]

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§ 98.423 Calculating CO₂ supply.

(a) Except as allowed in paragraph (b) of this section, calculate the annual mass of CO₂ captured, extracted, imported, or exported through each flow meter in accordance with the procedures specified in either paragraph (a)(1) or (a)(2) of this section. If multiple flow meters are used, you shall calculate the annual mass of CO₂ for all flow meters according to the procedures specified in paragraph (a)(3) of this section.

(1) For each mass flow meter, you shall calculate quarterly the mass of CO₂ in a CO₂ stream in metric tons by multiplying the mass flow by the composition data, according to Equation PP-1 of this section. Mass flow and composition data measurements shall be made in accordance with § 98.424 of this subpart.

$$CO_{2,u} = \sum_{p=1}^4 Q_{p,u} * C_{CO_2,p,u} \quad (\text{Eq. PP-1})$$

Where:

CO_{2,u} = Annual mass of CO₂ (metric tons) through flow meter u.

C_{CO₂,p,u} = Quarterly CO₂ concentration measurement in flow for flow meter u in quarter p (wt. %CO₂).

Q_{p,u} = Quarterly mass flow rate measurement for flow meter u in quarter p (metric tons).

p = Quarter of the year.

u = Flow meter.

(2) For each volumetric flow meter, you shall calculate quarterly the mass of CO₂ in a CO₂ stream in metric tons by multiplying the volumetric flow by the concentration and density data, according to Equation PP-2 of this section. Volumetric flow, concentration and density data measurements shall be made in accordance with § 98.424 of this section.

$$CO_{2,u} = \sum_{p=1}^4 Q_p * D_p * C_{CO_2,p} \quad (\text{Eq. PP-2})$$

Where:

CO_{2,u} = Annual mass of CO₂ (metric tons) through flow meter u.

C_{CO₂,p} = Quarterly CO₂ concentration measurement in flow for flow meter u in quarter p (measured as either volume % CO₂ or weight % CO₂).

Q_p = Quarterly volumetric flow rate measurement for flow meter u in quarter p (standard cubic meters).

D_p = Density of CO₂ in quarter p (metric tons CO₂ per standard cubic meter) for flow meter u if C_{CO₂,p} is measured as volume % CO₂, or density of the whole CO₂ stream for flow meter u (metric tons per standard